



UNITED STATES DEPARTMENT OF COMMERCE
Chief Financial Officer and
Assistant Secretary for Administration
Washington, D.C. 20230

July 30, 2019

Mr. Taylor S. Amarel
MuckRock News
411A Highland Ave
Dept MR 49280
Somerville, MA 02144

RE: Freedom of Information Act Request DOC-IOS-2018-000799

Dear Mr. Amarel:

This letter is a determination partial denial response to your correspondence, submitted into FOIAonline on February 21, 2018, to the U.S. Department of Commerce Freedom of Information Act (FOIA) Office. We have assigned to it tracking number DOC-IOS-2018-000799. We are responding under the FOIA. You are requesting:

“Wilbur Ross's calendar from February 27 2017 to present day..”

Portions of the records you are requesting are publicly available at www.doc.gov and is at the following link:

“http://www.osec.doc.gov/opog/FOIA/Documents/2017_Sec_calendar_Redacted.pdf
http://www.osec.doc.gov/opog/FOIA/Documents/2018_Sec_calendar_Redacted.pdf.”

Information on the Department of Commerce's webpage is available to the public without charge. If, however, information available on the Department's webpage is provided pursuant to a FOIA request processed under 5 U.S.C. § 552, then fees apply and will be assessed pursuant to Title 15, C.F.R. § 4.11.

Portions of the 2017 and 2018 Secretary Calendars are being withheld pursuant to 5 U.S.C. § 552, (b)(4), (b)(5), (b)(6) and (b)(7)(E).

Exemption 4 protects, (1) trade secrets and (2) information which is (a) commercial or financial, (obtained from a person (c) privileged or confidential. This exemption applies only to information submitted from outside the government. Information which the submitter would not customarily make available to the public. Information which has been compelled to be submitted is confidential if disclosure is likely to 1) impair the government's ability to obtain necessary information in the future or 2) cause substantial harm to the competitive position of the person from whom the information was obtained.

Exemption 5 protects, “inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency.” The three primarily invoked privileges that have been held to be incorporated into Exemption 5 are the deliberative process privilege, the attorney work-product privilege, and the attorney-client privilege. We are withholding information pursuant to the deliberative process privilege and attorney-client privilege.

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Exemption 6, protects disclosure of information about individuals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, so long as that invasion is not outweighed by a public interest in disclosure.

Exemption 7E, protect from disclosure records of information compiled for law enforcement purposes (administration, civil or criminal). This information would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions.

If you have any questions, please contact me by telephone at, 202-482-3257 or by e-mail at bparsons@doc.gov. You may also contact the Department's FOIA Public Liaison:

Ms. Carrie Hyde-Michaels
U.S. Department of Commerce
Office of Privacy and Open Government
1401 Constitution Ave. NW, Room 61013
Washington, DC 20230
telephone at 202-482-3842; email at chydemichaels@doc.gov

Please refer to your FOIA request tracking number, DOC-IOS-2018-000799 when contacting us.

In addition, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
e-mail at ogis@nara.gov;
telephone at 202-741-5770; toll free at 1-877-684-6448; facsimile at 202-741-5769

You have the right to appeal this partial denial of your FOIA request. An appeal must be received within 90 calendar days of the date of this response letter. Address your appeal to the following office:

Assistant General Counsel for Employment, Litigation and Information
U.S. Department of Commerce
Office of the General Counsel, Room 5896
1401 Constitution Ave., NW
Washington, D.C. 20230

An appeal may also be sent by e-mail to FOIAAppeals@doc.gov or by [FOIAonline](https://foiaonline.regulations.gov/foia/action/public/home#), if you have an account in [FOIAonline](https://foiaonline.regulations.gov/foia/action/public/home#), at <https://foiaonline.regulations.gov/foia/action/public/home#>. The appeal should include a copy of the original request and initial denial, if any. All appeals should include a statement of the reasons why the records requested should be made available and why the adverse determination was in error.

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The appeal letter, the envelope, and the e-mail subject line should be clearly marked "Freedom of Information Act Appeal." The e-mail, FOIAonline, and office mail are monitored only on working days during normal business hours (8:30 a.m. to 5:00 p.m., Eastern Time, Monday through Friday). FOIA appeals posted to the e-mail box, FOIAonline, or the office after normal business hours will be deemed received on the next normal business day. If the 90th calendar day for submitting an appeal falls on a Saturday, Sunday or legal public holiday, an appeal received by 5:00 p.m., Eastern Time, the next business day will be deemed timely.

Thank you for your cooperation and patience.

Sincerely,

Bobbie Parsons
FOIA Officer, Immediate Office of the Secretary
Office of Privacy and Open Government